

# Notice of Allowability

Application No.

09/894,272

Examiner

DANIEL G. MARIAM

Applicant(s)

SCHMIDT ET AL.

Art Unit

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed 12/20/04 & a tel. interv. dated 6/21/05.
2. ☒ The allowed claim(s) is/are 1,4-20,42,44-47,53,55-58,65,67,69 & 71 (will be renumbered as 1-32).
3. ☒ The drawings filed on 28 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☒ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 06212005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DANIEL MARIAM**  
**PRIMARY EXAMINER**

**EXAMINER'S AMENDMENT, OATH/DECLARATION, AND REASONS FOR ALLOWANCE**

✓ ***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey C. Hood (Reg. No. 35,198) on June 20, 2005.

The application has been amended as follows:

Cancel non-elected claims 21-41, 48-52, and 59-63 - - -

Cancel newly added claims 64, 66, 68, and 70 - - -

***Oath/Declaration***

2. A non-defective substitute Oath/Declaration is now required (See the last Office Action mailed on September 30, 2004 for details).

✓ ***Reasons for Allowance***

3. Claims 1, 4-20, 42, 44-47, 53, 55-58, 65, 67, 69, and 71 are allowed. The claims will be renumbered as 1-32.

4. The following is an examiner's statement of reasons for allowance: as applicant properly points out, starting on page 30 of the remarks, that neither Meyer nor Roth either alone or in combination teach or suggest edge detection in an image by testing a curve (that is generated based on two or more random pixels of the plurality of pixels) against a first subset of the plurality of pixels, wherein the first subset is less than all of the plurality of pixels. Hence, and in view of applicant's arguments and in combination with all of the other elements in the claims,

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the obviousness rejection thereof to independent claims 1, 42, and 53 is withdrawn, making independent claim 1, 42, and 53 allowable. Also, since claims 4-20, 44-47, and 55-58 further restrict these independent claims, they are allowable also. Additionally, none of the prior art of record teach the limitations recited in the newly added claims 65, 67, 69 and 71. Specifically, none of the prior art of record teach or fairly suggest, among other things, performing a refined curve fit, wherein the refined curve fit is performed using a second subset of the plurality of pixels comprising pixels within said specified pixel radius of the curve, wherein the refined curve fit comprises iteratively culling outlying pixels from the second subset, generating a culled subset of pixels, and fitting a refined curve to the culled subset at each iteration until an ending condition is met, wherein the refined curve fit generates a refined curve, and generating output, comprising one or more of information regarding the refined curve, and the culled subset of the plurality of pixels, wherein the curve comprises a refined detected edge in the image. It is for these reasons and in combination with all of the other elements of the claims, that newly added claims 65, 67, 69 and 71 are allowable over any of the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL G. MARIAM whose telephone number is 571-272-7394. The examiner can normally be reached on M-F (7:00-4:30) FIRST FRIDAY OFF.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH M. MEHTA can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**DANIEL MIRIAM**  
**PRIMARY EXAMINER**

June 21, 2005